



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1445 North Orchard • Boise, Idaho 83708-2239 • (208) 373-0550

Dirk Kempthorne, Governor
C. Stephen Allred, Director

OPTIONAL FORM 98 (7-90)

FAX TRANSMITTAL

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January 22, 2003

Bob Robichaud	Nickie A
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NSN 7540-01-317 7368	DUSS-101
GENERAL SERVICES ADMINISTRATION	

Robert R. Robichaud
NPDES Permits Unit Manager
Office of Water
USEPA, Region 10
1200 Sixth Avenue, OW-130
Seattle, WA 98101

Re: City of McCall NPDES Permit No. ID-002023-1

Dear Mr. Robichaud:



The Idaho Department of Environmental Quality (DEQ) has reviewed the proposed final NPDES permit for the City of McCall. This letter provides certification, pursuant to section 401 of the Federal Water Pollution Control Act (Clean Water Act), that there is reasonable assurance that the activities allowed under these permits will comply with applicable requirements of sections 301, 302, 303, 306 and 307 of the Clean Water Act and the Idaho Water Quality Standards and Wastewater Treatment Requirements (Water Quality Standards).

DEQ specifically certifies the effluent limitations for pH of 6.5-9.0 Standard Units, the effluent limitation for E. coli of 126/100 ml (average monthly limit geometric mean), and 406/100 ml (daily maximum limit), and mixing zones, pursuant to the Water Quality Standards, IDAPA 58.01.02.060, for total residual chlorine, ammonia and pH.

In order to assure compliance with state Water Quality Standards, DEQ requires the sample frequency during emergency discharge to the river be changed to require daily sampling for all parameters for both effluent and river monitoring. An emergency discharge plan for insufficient storage capacity should also be a requirement of the permit. An emergency operational procedure should be included in the plan to demonstrate proper management of an emergency discharge event because of insufficient storage capacity.

In addition, section I.A.1 must be modified to reflect the consent order between the city and DEQ. The last sentence should read: "The discharge to the J-Ditch mixing station must meet the limitations and monitoring requirements set forth in the city's Consent Order with DEQ." DEQ also believes section I.A.2 should be modified to provide that "The permittee is prohibited from discharging to the NFPR..."

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DEQ believes the permit can be made less stringent and still comply with state Water Quality Standards if the emergency discharge period is extended from May 31 to June 30.

This certification does not relieve the City of McCall from complying with other applicable state or local laws and requirements, including without limitation, the requirements in the Consent Order between the City of McCall and DEQ.

Please be aware that interested third parties may appeal this section 401 water quality certification by submitting a request in writing within 35 days for a contested case, pursuant to Title 67, Chapter 52, Idaho Code, and the Rules of Administrative Procedure Before the Board of Environmental Quality, IDAPA 58.01.23. The request for a contested case must be filed with the hearing coordinator at the following address: Hearing Coordinator, Department of Environmental Quality 1410 N. Hilton, Boise, ID 83708-1255.

If you have any questions or need further information please contact me at 373-0550.

Sincerely,


Stephen E. West
Regional Administrator

SEW/fw

cc: Doug Conde, Deputy Attorney General
David Mabe, Water Quality Program Administrator, DEQ
Nickie Arnold, EPA, Idaho Operations Office